

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.3.3
Eastern Division**

UNITED STATES OF AMERICA

Plaintiff,

v.

Case No.: 1:19-cr-00669

Honorable Edmond E. Chang

Gregg Smith, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Tuesday, February 8, 2022:

MINUTE entry before the Honorable Edmond E. Chang as to Gregg Smith, Michael Nowak, Christopher Jordan, and Jeffrey Ruffo: Telephone status hearing held. Counsel for the Defendants and the government appeared by telephone. Defendant Jordan also appeared by telephone. The Court and the parties preliminarily discussed the trial planning if pandemic restrictions are still in place on 07/05/2022. The government reported that, at this time, it still requests that trial proceed against all four Defendants on 07/05/2022, which is possible only if pandemic restrictions have been lifted. Defendant Smith also wants to adhere to the current trial date, including adopting a severance to three (or even two) Defendants if necessary to start as scheduled. Defendant Nowak also prefers to start as scheduled, including adopting a severance if needed. (Nowak expressed concerns about a masking requirement.) Defendant Ruffo prefers to start as scheduled, but also expressed concerns about masking, and is sufficiently concerned that perhaps he would prefer (without committing to it yet) a later trial without masks. Defendant Jordan prefers to be severed, including if that means a later trial date for him. For now, the parties shall continue to proceed with the hoped-for four-defendant trial. But the parties shall consider, and also confer with one another, on which one or two Defendants should be severed for a later trial if that is what is needed to proceed on 07/05/2022. If pandemic restrictions linger till 07/05/2022, the Court is not yet committed to severance but there ought at least to be conferral on the possibility in the meantime. Telephone status hearing set for 03/08/2022 at 10:30 a.m. Members of the public and media will be able to call-in to listen to this hearing. The call-in number is (877) 336-1831 and the access code is 1736479. Counsel of record will receive an email before the start of the telephonic hearing with instructions to join the call. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Emailed notice (mw,)

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